Caldwell and Stevens Show Why They Should be Allowed

TO BUY OLD CITY MILLS

Have Offered Frazier \$15,000 for Property as It Is.

The contest for the possession of the old City Mills property becomes more spirited as it proceeds, due in some part to the number of offers to purchase the property that have been made since the buildings were destroyed, and also in large measure to the increase in the value of Wichita real estate. It will be remembered that at the time of the fire in June, Caldwell and Stevens, who had a lease on the property, also had an option on its purchase extending to August 1st, 1899, from August 1st, 1898. There was \$5,500 in incorance, After the fire there was a disagreement Frazier, the owner, and Caldwell and Stevens, the lessees. Caldwell and Stevens wanted to exercise the option in buying at the agreed price, \$55,000, but no agreement could be reached. Mr. Frazier sued for ession and now Mr. Thornton Sargeant, representing Caldwell and Stevens, answers, showing why they should be allowed to pay the \$15,000 for the property rebuilt or \$15.00 mlaus the insurance for the property as it is now since the fire. Their lease and option contract reads as follows, to which is appended Caldwell and Stevens' statement of the dispute

"Wichita, Kan., Jue 7, 1898. "For and inconsideration of twelve hun-fired dollars to be paid by W. H. Caldback to alley, about 150 north and south, together with all buildings, machinery well and Stevens to have immeliate pos. costlon of said property and to have the right to make such changes in the mablinery as may be necessary, and to have the right to remove from said property placed in said property.

For the consideration before named, I hereby agree to give to the said Caldwell and Stevens the option to buy the said described mill property at any time during the life of this loase, at \$15,000.00. The said Caldwell and Stevens to return the property at the expiration of lease in as

"H. F. FRAZIER. "We hereby accept the corollions of

"W. E. CALDWELL,

F. D. STEVENS In pursuance of said lease and option took possession of the said property on or the office and scales at a fair and remains and repaired the office and scales at a fair and remains and repaired to the plaintiff hisema and elevator improvements and repairs. These lawful money of the United the office and scales at a fair and remains tendered to the plaintiff hisema and elevator improvements and repairs.

********** Insomnia and **Bad Dreams**

result from indigestion. The

and restore the stomach to its

At all Druggists-15c and Prepared only by the

P. L. ABBEY CO., Kalamazoo, Mich. S

desessossesses

MAKE THEIR ANSWER Mrs. Pinkham's Advice Saved Mrs. Hayes From an Operation.

[LETTER TO MRS. PINKHAM NO. 64,283] "DEAR MRS. PINKHAM-Words cannot express my thanks to you for your kind advice to me in regard to my health, I had been running down in health for about seven years. I had doctored with good doctors and taken a great many patent medicines. My trouble began when my first child was born. I had a very bard time and after its

birth would have severe flooding spells. "After my second child I had very good health until last winter when I again became pregnant and suffered very much and misearried. I came very near dying, and the doctor said I must have an operation, which frightened me very much, and concluded to write to you for your advice, and take your medicine. Was troubled with the whites, great pain in back and hips, sometimes when lying down or sitting was unable to get up. Would have such pain in groins could hardly walk. "I can say I have never seen anything so wonderful as Lydia E. Pinkham's Vegetable Compound and Sanative Wash. Your remedies have done wonders for me. Hoping that many of my suffering sisters may be led to take your medicine from reading this letter, I remain, sincerely yours, Mrs. MABY HAYES, HARDINSBURG, KY."

Letters like the foregoing should convince everyone that Mrs. Pinkham's advice is certain help.

lease and option contract, it was under- he has here will be sorry to learn of his stood and agreed between the plaintff and the defendants that the plaintiff "Pietro Galleano, a baritone singer should, at his own cost, keep the build-connected with the Lambardi Italian ing and improvements and machinery on Grand Opera company, which opens an said real estate, which were there at the engagement at Tootle's theater Monday, time of the execution of said lease and is confined to a room at the Murray Hooption contract, insured in a responsible tel under a guard as he is thought to be insurance company, satisfactory to him-suffering from dementia, self, against injury, destruction or loss; "Galleano, according to dred dollars to be find by W. H. Cald-weil and F. D. Stevens, as follows: ten dollars cash, the receipt whereof is here-by acknowledges, as follows: ten amount of said insurance was not to be by acknowledged; ninety dollars on Au- less than \$8,500. In pursuance of said several previous occasions. gust lat, 1836, one hundred dallars on the understanding and agreement between paid, I hereby lease to the said Caldwell | machinery in various insurance companand Stovens the following described property, to-wit; fract (known as the old City sum of \$5,50). After the destruction of Mills) including lot or lots 145 feet east said buildings by fire as aforesaid, the said buildings by fire as aforesaid, the before leaving Lincoln, and his condition and west on Douglas avenue, extending plaintiff collected from the insurance grew worse while encoute to St. Joseph. companies the full amount for which the buildings, improvements and machinery and scales, for the term of one year from were insured, to-wit: Eighty-five hundred the first day of August, 1508, said Cald-dollars. All of the buildings, improveproperty at the time of the execution of possible. the lease and option contracts were on property at the time of the fire. any building or machinery they may have inery were placed on said land by the other buildings, Improvements or machplaintiff during the life of said lease. On or about the first day of July, 1899,

the plaintiff that they intended to, and would, exercise their option under the contract to purchase said property at \$15,-909, and demanded from the plaintiff that good condition as received, usual wear and machinery on said property, and place he rebuild the buildings, improvements the buildings, improvements and machindition in which they were immediately before the fire and at the time of the exe-The defendants offered to allow the contract the defendants entered upon and plaintiffs a reasonable time in which to comply with said outand. The buildings, whout the first day of July, 1986, and have | Improvements and machinery were in the continued in the actual possession thereof same condition immediately before the These defendants fire that they were in when the lease and paid to the plaintiff twelve hundred dol- option contract was executed. At the hara, the full consideration for said lease same time when the foregoing notice was station about 9:30 o'clock and saw the ing for Cleburne, Tex., where she will and option contract according to the given to the piaintiff, these defendants terms thereof, to-wit; ten dollars cash, notified the plaintiff that they would at lat, 1898, and one thereafter and before the expiration of hundred dallars the first of each months the options tender the purchase price of

At the time of the execution of said improvements in substantially the same lease and option contract there were the following buildings and improvements on of the execution of said lease and option "Mr. Behymer stated that if Galleano said real estate, which constituted a part contract and at the time of the fire. The was not considerably improved by tomorthereof, to-witt one fleuring mill with plaintiff also refused to convey said premmachinery complete; one forty-five thou. Ises. On the first day of July, 1899, and elevator: office building: two ware purchase the said premises under the said enrages him to such an extent that it is found from these defendants took pospid to the plaintiff the sum of \$100, which

session of raid real property they erected was the last installment owing under thereon at their own expense one handlaid lease and option contract. The said Charles hotel last night and said: "Galing elevator with machinery at a fair and reasonable cost of three thoround dolling provement elevated by these defendants with the intention on their part of exercising their option to purchase, under the terms of said leave and option contract. The said leave and option contract. The said reasonable cost of three thoround dolling, paid by the defendants to the plaintiff before, made the full consideration for the leave of said premises and the option to purchase, under the terms of said leave and option contract. The said can be contract. The said leave and option contract. The said can be contract. The said leave and option contract. terms of said lease and option contract.

every condition on their part to be perthe real property described herein und formed under said lease and option contion of detention here or will have him

were made before the first of October, States as the purchase price of the prop- and imagines that everyone with whomi leave and option be comes in contact is making fun of occurred in the buildings, improvements contract, and orally and in writing signed him and this aggravates him. He has had And manifency on sail premises. The flouring mill and stone elevator, except the walls and markinery in the stone elevator, were wholly destroyed by ilre-Three-fourths of the machinery and the crty described in said contract according he is cured. He has been with the comflouring until were also at the same time destroyed by fire. The destruction of said and demanded of the plaintiff that inasbuildings, improvements and machiners by fire was wholly accidental and without the fault of these defendants. The walls of the stone elsewater and flouring mill when said lease and option contract were painful periods of ladies; never falling executors, had been wholly or partially destroyed by fire since the execution of said | ed from Park. Take nothing else; in red a part of the material is said falls is of contract, he should place said property At the time of the execution of said machinery thereon, in substantially the same condition in which they were when hah said contract was executed, usual same time orally and in the same instru-ment of writing algord by themselves.

hose defendants stated to the plaintfff ust if he should refuse or neglect to t the foregoing offer, then, without waiving any of their rights under said offer, they domained that the plaintiff should make a conveyance to them of the aid property in its condition at that time, theh sulf purchase price of \$15,000, less smages caused to said property by said The sum to be deducted should be lants might agree upon, or in case

per court in the proper action should nd and adjudge as proper. Also at the same time both orally and in writing timed by themselves, these defendants hould refuse or neglect to arcept premises from the plaintiff in their condi-tion at that time, and they then and there offered the plaintiff the sum of \$15. ess in lawful money of the United States, or which the plaintiff was to receive as

Lambardi Opera Company Meeting With Obstacles-

GREAT BARITONE UNDONE

Pietro Galleano Closely Guarded at St. Joseph.

The Lambardi Italian Opera company is still meeting with serious impediments in its tour. It was compelled to reorganiz at Kansas City and drop some of its singers, and it is reported that Pletro Galleano, the great baritone, who did the part of "Riggoleto" in the opera of tha name at the Crawford Grand in this city, went suddenly insane on the train between Lincoln and St. Joseph on Saturday. Gaileano had to be confined in a room at a hotel in St, Joseph and closely guarded for fear he would do some of the members of the company harm. His insanity is said to have very seriously crip pled the company, as he was one of the principal members of the cast in all of their leading operas. Galleano was quite a favorite in this city, and the admirer misfortune. The St. Joseph Gazette says:

"Galleano, according to L. E. Behymer,

"The Lambardi Opera company came in first of tach mount of the buildings is sured said buildings, improvements and vesterday and members of the company sured said buildings, improvements and yesterday and members of the company had a difficult time attendinf Galleano on

"He displayed symptoms of dementia "When the train arrived in this city Manager Bageard and Mr. Lambardi put Hotel Murray, where they endeavored to quiet him, but they found this task im-"At the hotel Galleano shoved the stove,

No in which there was a fire, around the room until restrained by four or five of his friends. "Then he noticed a large clock on the

wall which had stopped running.

"Gestleulating wildly and talking rapid. ly in Italian he mounted a chair and wound the clock, adjusting the hands first at one time and then at another. "A watch was handed him by one of his friends, and after spitting in both sides of the case he threw it on the floor.

"He kept chewing paper all during these actions, and being a powerful man of about 30 years of age, worried his friends greatly while they tried to induce him to

go to his room.
"He was finally brought to his room and some medicine given him but he refused to swallow it. were doing all in their power for the unrough fron bunks on which Galleano visit her son, W. T. Murray.

him back to the hotel and place him in a City., of September, October, November, December, Dec

place him in the asylum here. Sand bushel stone clevator and machin-just after notifying the plaintiff as here-ery; one forty-five thousand bushel orth inhefore described, of their intention to "Galleane imagines that his friends are enrages him to such an extent that it is

and safe. Married ladies' friend. Importwrappers. La France Drug company, importers, San Francisca, All druggists,

CITY IN BRIEF.

H. M. Grafton returned yesterday from Ohio. While there the fine country non



long to tell all the diseases that WAR-NER'S SAFE CURE protects us from; that is to say, all that arise from diseased kidneys and liver. A great doctor has said that "the greatness of their

sidiousness of their approach." WARNER'S SAFE Cure is an infallible preventative and specific for all disorders in the above-

number is only

equaled by the in-

of his mother was destroyed by fire. He stated that his mother and sisters are now in Chicago on their way west and wilf reach here about the middle of the week. They will visit Mr. Grafton and then go to Colorado where others of the

named organs.

Mr. Levi L. Drake of Canton, Ill., who has spent several weeks here with his children, Mrs. S. F. Smith of North Market street and Mr. Douglas L. Drake, returned to Canton yesterday. Mr. Drake is very much pleased with Kansas and especially Wichita, and he has about deelded to return here to live.

A jolly crowd of hunters, consisting of W. J. Weldenbach, A. Pauline, W. Pauline and Will Allen struck out Sunday to see what they could slay. In the vicinity of Andale they killed 23 qual and 10 rab its, which they consider a pretty good day's work.

Next Saturday on the Friends' univers. ity gridiron the Nickerson and Friends' football teams will line-up against each other. The Friends' team is being strengthened and a different result from the one of last Saturday is expected. Chief Auditor H. C. Short of the Santa

Sunday in the city with President Ripey and party. Mrs. S. D. Savill and children, who have been visiting her sister, Mrs. Douglas L. Drake, returned yesterday to her home at

Fe, with headquarters at Topeka, spent

The Friends' fooaball team went to Nickerson Saturday and were defeated 23 The Nickerson boys treated them

The next session of the Southwest Kansas conference will be held at Wichita March 14, presided over by Bishop Vin-

Mr. Ed Richmond and son, Guy, will leave today for Carrolton, Ky., where Mr. "Messrs Lambardi and Begeard, who Richmond and family expect to locate. Mr. Sidney Clarke of Oklahoma City fortunate man, then decided to take him was in the city Sunday to attend the to the police station for safe keeping over the night, but when they arrived at the Mrs. A. M. Murray will leave this morn-

Mr. John Speer has gone to Garden

It would take too LOSS PAID

Insurance Companies Settle

SALVAGE INVOICE \$73,000

Fire Sale Will Begin in a Few

The insurance adjusters, after a secsider the Innes fire, paid the chims in ond meeting held here yesterday to confull and turned the salvage over to the Innes people without qualification. The salvage invoice is \$73,000. The company will not be as heavy losers as was first expected. The Innes people will now get everything ready for a biggest fire sale in the history of Wichita and dispose of the entire stock immediately. One hunared sales people and cash boys additional today. The date of commencing the sale ably some time this week.

The insurance companies interested are: Williamsburg, O. A. Boyle, agent. Milwaukee Mechanics, P. C. Davidson.

Concordia, Steinbuchel & Co., agents, German, Steinbuchel & Co., agents.: Reliance, Ludium & Healy, agents, American, Ludium & Healy, agents. Phoenix, W. A. Reed, agent London and Lancashire, W. A. Reed,

Pennsylvania Fire, W. R. Reed, agent, Ningara, W. A. Reed, agent, National, Hewlett & Wheeler, agents. Springfield, Hewlett & Wheeler, agents Firemen's Fund, Hewlett & Wheeler,

Northern, Hewlett & Wheeler, agents. Phoenix, G. K. Spencer, agent. Queen, Reese & Co., agents. Glens Falls, Geo. E. Campbell, agent, Girard, E. I. Spencer, agent, Western, E. I. Spencer, agent, Lancashire, F. C. Davidson, agent

North British and Mercantile, F. C. Davidson, agent. Royal, Reese & Co., agents, Actua, H. H. Dewey, agent. Hartford, H. H. Dewey, agent, Reliance, Ludium & Healy, agents, Delaware, Ludlum & Healy, agents. Phoenix, W. A. Reed, agent National, Hewlett & Wheeler, agents, Imperial, G. K. Spencer, agent.

FOR HOARSENESS. Pontins, Upper Sandusky, O., writes: "I have been using Foley's Honey and Tar for sore throat and hourseness and find it is the best remedy I ever tried. It stopped the cough immediately and relieved all screness. Hocking Drug Co., G. Gehring and Wells Miller, drug-

Mrs. S. Harper of Indianola, is the guest of Mrs. E. Root of 421 South Water



GOLD DUST.

The Best Washing Powder. Ask Your Laundress to Try It.

OLD-FASHIONED CHARIVARI

Attorney Fred Stanley and Bride Given's Loud Reception Attorney Fred Stanley and bride re turned from Indiana yesterday and were their regular force is advertised for chartvaried last night at the home of President Stanley, on University avenue has not been set, but will be prob- A large crowd of Mr. Stanley's friends and students of the University gathered. in the yard at 10 o'clock and made Rome bowl for an hour. It was about the loud North British Mercantile, F. C. Dav- est noise ever heard on the West Side After the charivari Mr. and Mrs. Stanley were given hearty congratulations and

royal welcome to Wichita.

four doctors and being given up for lost. Cure. Today she is able to walk several baskets, prepared to serve lunch from \$ miles without fatigue. I feel we would to 7 in the evening to the post and all have lost her if it was not for your mailcine. Respectfully, Mrs. J. M. Balley." Hocking Drug Co., G. Gehring and Wells vited. Miller, druggists.

Prosperous Nursery.

Yesterday an Eagle reporter visited the Wichita Nursery and was greatly surprised to see the rush and magnitude of their business. The manager, W. F. Schell, informed the reporter that their business was doubling up every senson American Contral, F. C. Davidson. Last week a number of representatives of nurseries in other states, as well as some nearer home, visited the Wichita Nurser and pronounced their trees the best they German-American, Reese & Co., agents. had seen anywhere, and have made Mr. Scholl an offer for trees to fill all their orders in this territory. This speaks well for a Wichita concern, which employs home people and is of much benefit to the city and county.

DON'T RISK YOUR LIFE

Many of your friends, or people whom you know of have contracted consumption, pneumonia or other fatal diseases by neglect of a simple cold or cough Guthrie and Purcell. Returning they Foley's Honey and Tar, a safe, sure and stopped at Ponca City and then will go pleasant cough modicine, would have saved them. It is guaranteed. Hocking sort of tour of inspection, it is expected druggists

Have Changed Location.

The Fred Monz Furniture company has where they have a large room and are ning very smooth on the new access adding to their already large and fine Civic THE Civic DOCAL A DOC stock of furniture and household furnish- GIVE THE CHILDREN A DRINK igs. Mr. Mear says that his business is ings. Mr. Menz says that his business is growing at a surprisingly rapid rate, and that expects soon to get the room adjointing non-thing food drink to take he expects soon to get the room adjointing him on the north and he able to show liked by all who have used he because ing him on the north and be able to show his goods to a better advantage. As it is now the dufficate stock is kept in their large warmeness. He have the distribution of the control of th large warerooms. He has had platform lecks put in and has a very attractly

COMING LOCAL EVENTS.

The board of directors of the Wichita ospital will meet this morning at 9:30 clock at the hospital.

The room for serving the election dinner by the Ladies of the G. A. R. teday is changed from 405 North Main street to Il North Main street, where dinner, and supper will be served all coming in Wichits W. C. T. U. will hold a mothers' meeting on Tuesday. ers' meeting on Tuesday, November I, at

street. Topic: "Care and Training of A full attendance is desired. Woman's Relief Carps No. 40, will meet Beaver Dam. O.

Beaver Dam. O.

"My daughter, after being treated by and being given up for lost, our state inspection is expected to be findless come with well filled with us. Ladies come with well filled old comrades who are, with the Sons of Veterans and Ladies' All, respectfully in-

> the The Kind You Have Always Booms Bears the Charl Flitcher

Substantial Prosperity.

ecessary to secure more room for his arge stock, which he is continually hireasing to keep pace with the rapid growth of his business. He has recently cented the entire west half of the second floor of the Zimmerly building, which he will use for grips, values, mackintoshes, rubber goods and duplicate stock. This tives him ever 1.000 square feet more

A special train carrying President Ripley, General Manager Frye, Esperintendsits Dolan and Ruley, Trainmasters Mc-Nally and Austin, stopped over Sunday night and the officers of the Santa Fe had s good reat. Yesterday they went to Drug Co., G. Gehring and Wells Miller, that some radical changes was be made in the plans of the Santa Fe in respect to is new lines, but the officers decline to say just what will happen at this tim noved from 20 to 23 North Main street, So far everything is rejected to be rule

...Ribbon Day, as Advertised...

Morsman, Innes & Co.,

GREAT DEPARTMENT STORE

Everything for Everybody.

Tuesday, Nov. 7

At our Ribbon counter fortyseven bolts

5 inch Ribbons at 14 Cents

These are for stocks and sashes. Beautiful goods in a great variety of colors and fancy patterns. You never saw such value before. You must buy it Tuesday; not a yard for this price any other time. Not more than three yards to any one customer.

Wednesday, Nov. 8

We will well on Wednesday in our Shoe department sixty pairs:

Misses' Fine School Shoes at 87 Cents These are in kid and grain leather, oak tan sales. An honest Shoe, well made.

Made to well for \$1.50; our regular price, \$1.24. You can get them for Elc. When you are there we would like to pays you examine our Shor stock . We have a fine line, and no one makes prices

Thursday, Nov. 9

lower than ours.

Our Hardware man wants to come in on this work of sales. He calls his department the "Handy End" of the store, and here is what he offers for this upe day

Twenty-five 5-guilon Galvantzed Oil Cans at So. They are worth 60: today. Twenty-five 1-quart Covered Buckers, 50. Twenty-live II-quart Strainer Palls, 24:, Twenty-five is-quart Strainer Polls, Jo Twenty-five 3-quart Dinner Buckets, 140

Prices on these goods have advanced 6) per cent. We cannot replace them at the prices named. It is an opportunity five if you do not buy.

We are strictly "in it." Our customers tell us so, and they back up their statement with their good money as they carry off armsful of our goods. On Monday we began

A Week of Sales One Day is Off

Funston

could not have been a greater attraction than our Crash sale yesterday to judge by the crowd of ladies at our Linen department yesterday; standing room only. That is over, and today is our

> Wonderful Ribbon Sale...

A sale for every day of the week. These sales are for one day only. We will not

duplicate the prices at any other time. This is a special event and you will see at once the full strength of the remarkable values we offer. This is your opportunity. This week of sales is a combination of trade-winning values so impressive and important that you cannot afford to miss them. The heads of departments have each determined to draw the largest crowd and each has cut prices liberally and even reck-

When you are in our store examine all our lines. We invite your inspection. Out of town visitors are requested to make our store headquarters. Everybody is welcome, whether bayers or not.

In our Cloak and Suit department we have the best made garments in the marketfine goods, cut in the latest fashions, and nowhere can you get better values.

Friday, Nov. 10

Now, here is a seasonable offering. In our Men's goods department on the second

floor we will put on sale Men's Ribbed and Fleeced Underwear, White and Colored. 34 Cents

gold everywhere for 30 cents. The remarkably genuine value in this offer will be apparent the moment the goods are shown. ONE DAY ONLY

> Saturday, Nov. II A Farmer's Sale Day

Every furmer needs Chattle Scap. It is good for chapped hands, for regular use and in the only aven that should be used to want a core, officer on more or beart, It should be always in the house, offer four cases

Bordeaux Castile Soap Quarter Pound Bars at ac, or 3 for 5c.

This is genuine Ottos Oli Susp. No ima-In the well-lighted room on our sound foor, our Blanket man, knowing the needs

of winter, has this to offer: 3 Dozen Comforters at 78c

Our price on this is No and D is good 6 Dozen Cotton

Blankets at 48c This is a ten-quarter Disasket of ex-cellent quality. It would be malled a smap by atther bouler by the Conton goods are offered every days. Buy

In our Domestic Aspertment we will eed until begathe of the Challeng Plantiel, regular Fig. growls. For this one day at the This is beautiful stools and we have it to

One Day Only

118 and 120 North Main Street.